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SENATE BILL 2966 By
Springer

HOUSE BILL 2861
By Winningham

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 50, relative to establishment of charter schools as part of Tennessee's program of public education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, is amended by adding Sections 2 through 3 of this act as a new, appropriately designated part.

SECTION 2. This act shall be known and may be cited as the "New Schools Charter Project Act of 2000".

SECTION 3. (a) By not later than July 1, 2000, the state board of education shall begin implementation of a pilot revised school management system involving six (6) or more school sites in each of the three (3) grand divisions, to be called "The New Schools Charter Pilot Project". The board shall solicit volunteering school districts that will commit to participating in the project for a three-year period.

(b) At each of the school sites in the project, the management of the school shall be vested in a five-member management team selected from bids received by the local board of education. In the selection of the management team, technical assistance may be provided by the state board of education. One (1) member of the five-member management team shall be

designated as principal of the project school. No more than two (2) members of the management team shall be parents of students attending the project school.

(c) Successful bids for serving as the management team at a project school shall be selected from proposals submitted by system teachers, system administrators, parents of students attending the project school, or a combination of teachers, administrators and parents. The five (5) bidding members of the proposed management team shall agree to serve for the duration of the project. No member of the management team shall profit in any way from the project other than from salaries received, which shall be outlined in each bid submitted.

(d) Bids shall be submitted in writing to the local board of education on forms developed by the state board of education. All bids shall be submitted by January 1, 2001, for project schools to begin operation in the 2001-2002 school year. Local boards of education shall designate the school or schools that will be eligible. Bid information shall include specific target proposals for the improvement of student learning, increasing the choices available to parents and students as both seek the best learning environment and educational opportunities, freeing teachers from excessive paperwork and rigid curriculums, experimenting with different and innovative learning methods, making the school the unit for educational improvement and accountability, receiving and disbursing funds for school purposes, and improving the involvement of parents in each child's learning experience. In evaluating competing bids for designated schools, the local board of education shall seek to include schools that are performing above average, performing at the average, or performing below the average, as defined by the state board of education. Bids approved by the local board of education for designated schools shall be submitted to the state board of education for final approval and participation in the pilot project. The state board of education shall attempt to balance the above performance categories to achieve a representative sampling of pre-selection performance. Schools approved for pilot project status shall receive notification of approval no later than March 15, 2001.

(e) Pilot project schools shall be open to all students under whatever assignment or admissions policy is in effect in the school system. Pilot project schools shall not discriminate in admissions on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapped person, proficiency in the English language, or any other basis that would be illegal if used by the local board of education.

(f) Staffing and personnel decisions for the schools in the pilot project shall be vested in the five-member-management teams for the duration of the project. All certificated staff pay and benefits shall be maintained in accordance with the salary and benefit schedules adopted or negotiated by the local board of education. In negotiating with local boards of education the certificated staff shall remain part of the local negotiating unit. All laws concerning teacher rights, benefits, pay, leave, contracts, tenure and retirement shall continue to apply. Service on the staff of a project school shall be voluntary. The management team is authorized to designate teachers that are to be removed from the project school and transferred to available positions in the participating school district.

(g) The state board of education shall waive, for participating schools, such rules and regulations as the state board of education determines will enhance the target proposals of the pilot project school. The state board of education shall actively encourage the establishment of special needs project schools in urban districts. The local superintendent of the district in which the pilot project school is located shall have ongoing access to the records and facilities of the project school to ensure that the school is in compliance with its bid and that state laws concerning assessment, testing, civil rights, student health and safety are being met.

(h) The commissioner of education shall develop a procedure for the annual evaluation of the new schools charter pilot project, including recommended means for expanding desirable elements of the project to other schools and school districts in the state.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.